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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,319	11/17/2003	William R. Brosnan	IGTIP077D1/P-299 CIP CON	5253
22434	7590	02/23/2007	EXAMINER	
BEYER WEAVER LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			PANDYA, SUNIT	
			ART UNIT	PAPER NUMBER
			3714	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary	Application No. 10/716,319	Applicant(s) BROSNAN ET AL.	
	Examiner Sunit Pandya	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/18/04, 1/11/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This action is in response to the amendments filed on 1/26/2007 by the applicant, wherein the response the applicant has amended claim 15, and claims 15-22 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Acres (US Patent 6,565,434).

A detailed reading of Acres by an artisan of ordinary skill would teach all of the claim limitations of the claims above. Specifically, Column 17 lines 54-60 and Column 52 lines 11-23, disclose a translator 353 that integrates protocols between the host and the bonus promotion system. Acres discloses not just a game of chance with master gaming control, column 12 lines 3-14 and figure 4, wherein Acres discloses a flow chart that inherently teaches of a controller controlling the game begin played on the gaming machine, without the said controller being active in the gaming device the device would be nonfunctional, considering the fact that controller controls all aspect of the gaming

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device. Figures 8A & 8B also disclose the circuitry for a controlling device that controls the game of chance played on the machine.

Additionally column 24 lines 8-25 discloses that each machine communication interface (MCI) further includes a replication port 78, which emulates the communication port on the gaming device, Acres discloses communications port, which is adapted for communication between the communication interface (MCI) and plurality of remote servers in a gaming machine network (wherein the server could be multiple gaming machines, or bonus aspect of the gaming machine). Acres teaches of a DACOM host sending messages to the bonus server, using a single communication connection, (wherein the bonus server includes different servers that controls jackpots, car mystery or participant's bonus, cash bonus, Column 17 lines 31-42) and in response to the message sent by DACOM host, the server returns the a response to the host, Column 18, lines 40-42, Column 30, lines 55-60. This facilitates the use of older third party accounting systems even when an MCI is connected to the gaming device's communication port. Acres also discloses communications protocols, Column 17 lines 54-60 and Column 52 lines 11-23, discloses communications protocols used by a gaming machine function on the machine, wherein the machines are adapted for communications using the communications protocols via communication port. The MCI can be programmed to perform a translation function wherein the MCI transmits data to the data collection system in whatever language the system requires, e.g. "SAS". With respect to the rest of the details of the claimed subject matter please see columns 41-54 where a detailed description of the Machine Communication interface is outlined.

Acres substantially teaches the claimed invention except for the master gaming controller having multiple communication port. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include multiple communication port, to designate each port for a specific duty to speed up the communication between the master gaming controller and the gaming machines. Since it has been held that mere duplication of essential working parts of a device requires only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Response to Arguments

Applicant's arguments filed 1/26/2007 have been fully considered but they are not persuasive.

The applicant argues that reference does not teach of a gaming controller controlling a game of chance played on the machine. The examiner respectfully disagrees with the applicant; Acres in figure 4 discloses a flow chart that inherently teaches of a controller controlling the game begin played on the gaming machine, without an active controller in the gaming device, the gaming device would nonfunctional, especially since the controller essentially controls all aspect of the gaming device. Figures 8A & 8B also disclose the circuitry for a controlling device that controls the game of chance played on the machine.

Regarding the applicant's argument that the reference only teaches the controller communicates using a single communication protocol and not multiple communication ports, see the rejection above.

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Consequently, for the reasons provided above, applicant's arguments have been considered but regarded non-persuasive and the rejection is maintained.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

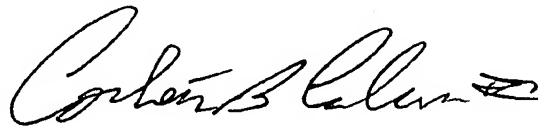
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sunit Pandya whose telephone number is (571) 272-2823. The examiner can normally be reached on M - F: 7:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert OLSZEWSKI can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SP

A handwritten signature in black ink, appearing to read "Corbett B. Coburn" with a stylized flourish at the end.

**CORBETT B. COBURN
PRIMARY EXAMINER**